

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EUGENE A. TODIE,

Plaintiff,

vs.

E. SOKOLOWSKI,

Defendant.

Case No.: 2:12-cv-00335-GMN-PAL

**ORDER ACCEPTING REPORT OF
FINDINGS AND RECOMMENDATION OF
MAGISTRATE JUDGE PEGGY A. LEEN**

This matter is before this Court on Plaintiff's failure to comply with the Court's Order to Show Cause (ECF No. 11) entered February 12, 2013, directing Plaintiff to show cause why his Complaint should not be dismissed for failure to serve process pursuant to Rule 4(m) of the Federal Rules of Civil Procedure and for failure to prosecute. Plaintiff was warned that failure to comply with the Order to Show Cause would result in a recommendation that Plaintiff's Complaint be dismissed. Plaintiff did not respond to the Order to Show Cause or request additional time to respond. Plaintiff has failed to timely serve the complaint, comply with the Court's order and Order to Show Cause. The complaint has been on file since May 9, 2012, with no effort to prosecute it.

Also before this Court for consideration is the Report of Findings and Recommendation (ECF No. 12) of the Honorable Peggy A. Leen, United States Magistrate Judge, entered on March 19, 2013.

Pursuant to Local Rule IB 3-2(a), objections were due by April 5, 2013. No objections have been filed. In accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-4, the Court has reviewed the record in this case and has determined that Magistrate Judge Leen's Recommendation should be **ACCEPTED**.

1 **IT IS THEREFORE ORDERED** that Plaintiff's Complaint is **DISMISSED** for failure
2 to serve process pursuant to Rule 4(m) of the Federal Rules of Civil Procedure and for failure to
3 prosecute.

4 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment
5 accordingly.

6 **DATED** this 25th day of June, 2013.

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10 Gloria M. Navarro
11 United States District Judge
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